

JOB DESCRIPTION
RISK MANAGEMENT FUND
RISK MANAGER/STAFF ATTORNEY

1. **JOB TITLE:** RISK MANAGER/STAFF ATTORNEY - RISK MANAGEMENT FUND

2. **DEFINITION:** The Risk Manager provides professional and technical support to the Legal Department in all phases of Risk Management Fund operations, claims handling and loss prevention. The employee's job functions include the performance of highly responsible tasks associated with managing the Risk Management Fund and commercial insurance coverage held by the City, accurately maintaining legal and accounting records pursuant to the Governmental Accounting Standards Board (GASB), and processing of claims related to all City of Murfreesboro workers' compensation, general liability, automobile liability/collision/comprehensive claims, employment claims, fire and casualty claims, related investigation of self-insured risk claims, hereinafter referred to as "SIR Claims" and such other tasks as may be directed by the City Attorney. The employee is responsible for responding to claims, citizens' complaints and concerns associated with SIR Claims. The employee handles pretrial, trial and appellate proceedings resulting from such claims. This is an upper-management position requiring an individual who is capable of exercising independent judgment and who possesses the personal disposition and psychological qualities generally required of one who works well with the public. This employee is under the direction of the City Attorney. All employees are responsible to the City Manager. This position is classified as Exempt for the purpose of the Fair Labor Standards Act, as having no significant exposure to bloodborne pathogens, and as Safety Sensitive; the employee is subject to pre-employment, promotion and transfer, random, reasonable suspicion, post-accident/incident, return to duty and follow-up drug and alcohol testing.

3. **EQUIPMENT/JOB LOCATION:**

- a. The employee will operate a computer, word processor, fax machine, 10-key calculator, copier, multi-line telephone system, and other miscellaneous office equipment and accessories customarily used in an office environment. The employee must have the ability to safely operate a motor vehicle.
- b. The employee's job location is in the City's Legal Department or adjacent thereto, where work is typically performed indoors in a smoke-free office environment. It will occasionally be necessary for the employee to drive to other locations, accident scenes, damaged motor vehicles, and damaged property, e.g., to take photographs.

4. **ESSENTIAL FUNCTIONS OF THE JOB:**

- a. Plans, implements and coordinates programs to reduce financial losses associated with all City property and operations.
- b. Identifies and analyzes risk exposures and hazards that the City may confront; measures financial impact and applies expertise and risk management knowledge to recommend appropriate actions; determines methods to avoid, retain, and/or transfer risk; evaluates and reports on program effectiveness.

- c. Maintains all legal files and records associated with the SIR Plan and processes related claims on all workers' compensation (including coordinating payments for Temporary Total Disability), general liability, automobile liability/collision/comprehensive, employment claims, and fire and casualty claims of the City of Murfreesboro.
- d. Initiates SIR subrogation claims.
- e. Investigates, evaluates, mediate and litigates claims against City.
- f. Effectively supervises Administrative Assistant and Safety Officer.
- g. Coordinates and communicates accurately and effectively with claimants, injured employees, doctors, case managers, legal representatives and the Safety Officers in various departments of City government.
- h. Prepares specifications and participates in selection of commercial insurers and contract service providers, e.g. case managers.
- i. Prepares and files all State forms required for SIR workers' compensation claims; coordinates efforts between investigators and SIR's office when required by the facts and circumstances of each individual case.
- j. Accurately maintains accounting records pursuant to GASB regulations.
- k. Develops, coordinates and administers all employee safety education programs.
- l. Develops and maintains a comprehensive safety manual applicable to all departments; works with department heads and designated employees to identify specific areas and needs applicable to some departments. Prepares and develops safety directives, as needed.
- m. Develops recommendations for improvements in City departmental safety and operational activities based on review of workers' compensation claims, liability and property claims, works with specific City departments to implement recommended changes, performs follow-up inspections to ensure compliance and understanding, may suspend work site activities when necessary.
- n. Provides file management, including the review of all medical bills associated with each workers' compensation claim to determine its connection with a job related injury, possible previous payment of same, or possible defense of statute limitations.
- o. Prepares all SIR pay requests; disburses and post all payments.
- p. Prepares reports of claims and case litigation for the Risk Management Committee and appropriate City staff.
- q. Ensures that the City's Risk Management, insurance and safety programs remain in compliance with all federal, state and local law ordinances.
- r. Retrieves information from departmental databases; maintains confidentiality and integrity of all information and data.
- s. Attends training courses, seminars, conferences and other classes to increase professional competence; keeps apprised of changes in legislation, new risk management programs, and other areas to improve City programs and ensure compliance.
- t. Safely operates an automobile as needed to drive to other locations to take pictures of accident scenes, damaged motor vehicles, and other damaged property.
- u. Sits, stands, stoops and walks intermittently.

5. **ADDITIONAL EXAMPLES OF WORK PERFORMED:**

- a. Performs other duties and special projects as assigned.

6. **REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES:**

- a. Licensed to practice law in Tennessee or capable of being licensed in Tennessee with a minimum of five (5) years experience working as a licensed attorney with experience in litigating, tort and workers' compensation cases preferred. Any combination of legal, risk management or related work experience may be included in minimum work experience.
- b. Special consideration will be given to applicants with certifications or experience in insurance, claims, loss prevention or risk management.
- c. Must have legal authorization to work in the United States of America.
- d. Must not have been convicted of or pleaded guilty to or entered a plea of nolo contendere to any felony charge or to any violation of any federal or state laws or city ordinances relating to force, violence, theft, dishonesty, gambling, liquor, or controlled substances.
- e. Must possess a driver's license valid in the State of Tennessee.
- f. Must maintain automobile liability insurance on vehicle used to perform job duties for City of at least \$100,000 single limit, or such other amount as citywide policies may require in the future.
- g. Must possess excellent personal computer skills with good working knowledge of Microsoft Word and either know or have the ability to learn Microsoft Access, PowerPoint and Excel.
- h. Good human relations skills with the ability to communicate effectively with the public, elected officials, members of the Risk Management Committee, Department Heads, Safety Officers of various departments of city government, other employees of the city, doctors, nurses, other health care providers, administrative personnel of the Tennessee Department of Labor, and personnel associated with the courts of Rutherford County.
- i. Ability to understand and apply the general principles of tort law, workers' compensation law, local court rules and procedures, and state regulations associated with workers' compensation.
- j. Must possess the temperament and good judgment to effectively deal with the public, some of who may be irate and unreasonable.
- k. Must possess the ability to maintain records of the Risk Management Fund.
- l. Must possess excellent communication skills.
- m. Must possess and maintain a good reputation for honesty, integrity and confidentiality.
- n. Must possess the ability to work well with other attorneys and to share the workload with a good attitude when the need arises.
- o. Ability to perform job responsibilities independently and on own initiative in a timely manner in order to meet schedule deadlines.
- p. Ability to be available to work hours as needed or necessary.
- q. Ability to report for work on time and to perform the duties of the job for an entire workday.
- r. Ability to concentrate and accomplish tasks despite interruptions.

Exempt
Safety Sensitive
August 26, 2005